



CITY OF MORGAN HILL

**CITY COUNCIL
MORGAN HILL REDEVELOPMENT AGENCY**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Hedy L. Chang, Council Member
Cynthia J. Cook Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Greg Sellers, Vice-Chairperson
Hedy L. Chang, Agency Member
Cynthia J. Cook, Agency Member
Steve Tate, Agency Member

WEDNESDAY, JUNE 21, 2000

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

7:00 P.M.

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(Deputy City Clerk/Agency Secretary Corbet)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Deputy City Clerk/Deputy Agency Secretary Corbet)

OPPORTUNITY FOR PUBLIC COMMENT

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

Finance Department
Vivian Hayes, Accounting Assistant I
Mario Jimenez, Accounting Assistant I

Police Department
Ken Howard, Police Officer

CERTIFICATE OF RECOGNITION

Deke Descoteaux

CITY COUNCIL REPORT

Mayor/Chairperson Kennedy

INTERIM CITY MANAGER'S REPORT

INTERIM CITY ATTORNEY'S REPORT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.
(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE
ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT
IT TO THE CITY CLERK.**
(See notice attached to the end of this agenda.)

City Council Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #1 through #8 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time
Estimate
Consent Calendar: 1 - 10 Minutes

Page

- | | |
|----|---|
| 1. | <u>MAY 2000 FINANCE AND INVESTMENT REPORT</u> 1
<u>Recommended Action: Accept and file</u> report. |
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2. **APPROVAL OF CHANGE ORDER FOR NORDSTROM PARK** 27
Recommended Action: **Approve** Change Order to Robert Bothman Inc. for Construction of Nordstrom Well Facilities Constructed as a Part of the Nordstrom Park Project in the Amount of \$28,727.

3. **DEVELOPMENT IMPACT FEE INFLATIONARY AUTOMATIC INCREASE** 29
Recommended Action:
 1. **Adopt** Resolution No. 5402 Rescinding Resolution No. 5278 and Amending Resolution No. 4997 to Adjust the Traffic Impact Mitigation Fee per the Current Engineering News Record Construction Cost Index, and
 2. **Adopt** Resolution No. 5403 Rescinding Resolution No. 5279 and Amending Resolution No. 4930 by Increasing the Development Impact Fees per the Current Engineering News Record Construction Cost Index.

4. **SETTING OF ANNUAL PUBLIC HEARING FOR FOX HOLLOW - MURPHY SPRINGS LIGHTING AND LANDSCAPING ASSESSMENT DISTRICT** 37
Recommended Action:
 1. **Adopt** Resolution No. 5404 Initiating Proceedings for the Levy and Collection of Assessments for the Fox Hollow Murphy Springs Landscape Assessment District, Fiscal Year 2000/01,
 2. **Adopt** Resolution No. 5405 for Preliminary Approval of the Engineer's Annual Levy Report Regarding the Proposed Levy and Collection of Assessments for the Fox Hollow/Murphy Springs Landscape Maintenance District, Fiscal Year 2000/01, and
 3. **Adopt** Resolution No. 5406 Declaring Intention for the Levy and Collection of Assessments for the Fox Hollow/Murphy Springs Landscape Maintenance District, Fiscal Year 2000/00.

5. **RECLASSIFICATION OF CIVILIAN POLICE POSITIONS** 139
Recommended Action:
 1. **Approve** the New Job Classification of Police Support Services Specialist III,
 2. **Approve** the New Job Classification of Community Service Officer, and
 3. **Reclassify** Two Existing Police Support Services Specialist II Positions to Police Support Service Specialist III and One Existing Police Support Service Specialist II to Community Service Officer.

6. **PURCHASE OF NETWORKING EQUIPMENT** 159
Recommended Action: **Authorize** the Purchase of Networking Equipment for \$27,969.64 to link the Three Major City Facilities.

7. **FISCAL YEAR 1999/2000 BUDGET ADJUSTMENTS** 163
Recommended Action: **Approve** Proposed 1999/2000 Adjustments.

8. **AMENDMENT TO CONTRACT WITH THE SANTA CLARA COUNTY FIRE DEPARTMENT TO PROVIDE PARAMEDIC-LEVEL SERVICE** 165
Recommended Action: **Direct** Interim City Manager to Execute Contract with the Santa Clara County Fire Department for Fire Engineer-based Paramedic Service.

City Council and Redevelopment Agency Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time

Estimate

Page

Consent Calendar: 1 - 10 Minutes

9. **APPROVAL OF JOINT SPECIAL/REGULAR CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF JUNE 7, 2000** 175

City Council Action

PUBLIC HEARINGS:

Time

Estimate

Page

10. **2 minutes** **CONFIRMING THE SANTA CLARA COUNTY FIRE MARSHAL'S REPORT RELATING TO BRUSH ABATEMENT** 197
Recommended Action: Request Staff Presentation.
Public Hearing Opened.
Continue Public Hearing to July 12, 2000.
11. **6 minutes** **DEVELOPMENT AGREEMENT AMENDMENT DAA 97-08: E. MAIN - MAIN ST. DEVELOPERS** 199
Recommended Action: Request staff presentation.
Public Hearing opened.
Please limit your remarks to 3 minutes. Public Hearing closed.
Council discussion.
Action- Motion to Waive the Reading in Full of Ordinance No. 1481, N.S.
Approving the Amendment to the Project Development Agreement.
Motion to Introduce Ordinance No. 1481, N.S. by Title Only.
Action- Motion to Waive the Reading in Full of Ordinance No. 1482, N.S.
Approving the Four New Development Agreements for the Custom Lots.
Motion to Introduce Ordinance No. 1482 N.S. by Title Only.

12. 5 minutes **EXCEPTION TO LOSS OF BUILDING ALLOTMENT AWARDED TO APPLICATION MMP-00-01: BERKSHIRE - SINGH (APN 764-23-054)** 255
Recommended Action: Request staff presentation.
Public Hearing opened.
Please limit your remarks to 3 minutes. Public Hearing closed.
Council discussion.
Action – Motion to Adopt Resolution No. 5408 Granting Exception to Loss of Building Allocation.
13. 6 minutes **EXCEPTION TO LOSS OF BUILDING ALLOTMENT AWARDED TO APPLICATION MP-93-08: SAN PEDRO - BARTON REDLANDS** 265
Recommended Action: Request staff presentation.
Public Hearing opened.
Please limit your remarks to 3 minutes. Public Hearing closed.
Council discussion.
Action- Motion to Waive the Reading in Full of Ordinance No. 1483, N.S. Approving the Amendment to the Project Development Agreement.
Motion to Introduce Ordinance No. 1483, N.S. by Title Only.

City Council and Redevelopment Agency Action

14. 60 minutes **PUBLIC HEARING FOR ADOPTION OF THE 2000/01 BUDGET** 275
Recommended Action: Request staff presentation.
Public Hearing opened.
Please limit your remarks to 3 minutes. Public Hearing closed.
Council discussion.
Action – Motion to Adopt Resolution No. 5409 of the City of Morgan Hill Adopting the 2000/01 Annual City Budget, Incorporating Certain Changes to the Proposed Budget, and Adopting the Appropriations Limit for Fiscal Year 2000/01.
Action – Motion to Adopt Resolution No. MHRA - 217 of the Redevelopment Agency of the City of Morgan Hill Adopting the 2000/01 Annual Agency Budget.
Action – Motion to Approve the Revised Capital Improvement Plan.

City Council Action

OTHER BUSINESS:

Time
Estimate

Page

SECOND READING OF ORDINANCE: Full Reading Waived By Majority Vote.

(Government Code Section 36934)

Action -- Adopt Ordinance by roll call vote.

15. 3 minutes **ADOPT ORDINANCE NO. 1479, NEW SERIES** 289
An Ordinance of the City Council of the City of Morgan Hill Amending Ordinance No. 559 New Series, by Prezoning 2.344 Acres Located on the East Side of Murphy Avenue, Approximately 564 Feet South of E. Dunne Avenue, at 16850 Murphy Avenue. The Zoning Amendment Would Prezone the Property from County A1-2.5AC to City R1-7,000 (APN 817-19-001)
16. 3 minutes **ADOPT ORDINANCE NO. 1480, NEW SERIES** 295
An Ordinance of the City Council of the City of Morgan Hill Amending Ordinance No. 559 New Series, by Prezoning 4.83 Acres Located on the South Side of E. Dunne Avenue, at 1630 E. Dunne Avenue. The Zoning Amendment Would Prezone the Property from County A1-2.5AC to City R1-7,000 (APN 817-19-043)

City Council and Redevelopment Agency Action

OPPORTUNITY FOR PUBLIC COMMENT

CLOSED SESSION:

- 1.**
- 10 minutes CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**
- | | |
|------------------------------|--|
| Legal Authority: | Government Code 54956.8 & 54956.9(c) (1potential case) |
| Real Property(ies) involved: | APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Mission View and Cochrane Road; and APN 728-31-009 - 12.88 acres located on the southeast corner of Cochrane and Highway 101 (St. Louise Hospital property) |
| City Negotiators: | Agency Members; Interim Executive Director; Interim Agency Counsel; and F. Gale Conner, special counsel |
| Closed Session Topic: | Potential Litigation |
- 2.**
- 5 minutes CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
- | | |
|------------------|--|
| Legal Authority: | Government Code 54956.9(b)(1) - Significant exposure to litigation |
|------------------|--|
- 3.**
- 30 minutes CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
- Initiation of litigation pursuant to Government Code section 54956.9(c) - One (1) potential case
- 4.**
- PUBLIC EMPLOYMENT**
- | | |
|------------------|-------------------------------|
| Legal Authority: | Government Code Section 54957 |
| Position: | City Manager Recruitment |

ADJOURNED TO CLOSED SESSION:

CLOSED SESSION ANNOUNCEMENT:

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT